

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JOSEPH PALMISANO, JAY
HAJESKI, SEAN WALL, WALTER
EVERETT, and MATTHEW
MANIBUSAN individually and on
behalf of all other similarly situated,

Plaintiff,

v.

CROWDERGULF, LLC, BIL-JIM
CONSTRUCTION CO., INC., MAPLE
LAKE, INC., R. KREMER AND SON
MARINE CONTRACTORS, LLC,
ABC CORPORATIONS (1-100), DEF
CORPORATIONS (1-500), and JOHN
DOES (1-10), et al.,

Defendants.

BIL-JIM CONSTRUCTION CO.,
INC.,

Third-Party Plaintiff,

v.

TOWNSHIP OF BRICK,

Third-Party Defendant

Civil Action No.
3:17-cv-9371 (PGS)(TJB)

**ORDER GRANTING IN PART
AND DENYING IN PART
MOTIONS FOR
SUMMARY JUDGMENT**

ORDER

WHEREAS, there are currently four summary judgment motions before the Court (ECF Nos. 121, 126, 129, 132); and having reviewed the briefs and having heard oral argument; and for the reasons set forth in a Memorandum of this date;

IT IS on this 16th day of June, 2023;

ORDERED that Plaintiffs' Motion for Summary Judgment (ECF No. 121) is hereby GRANTED IN PART as to the State Project for Joseph Palmisano and Jay Hajenski; and DENIED IN PART as to the Municipal Project and State Project for Sean Wall, Matthew Manibusan and Walter Everett; and it is further

ORDERED that Defendant CrowderGulf, LLC's Motion for Summary Judgment (ECF No. 126) is hereby DENIED as to the State Project; and it is further

ORDERED that Defendants Bil-Jim Construction Co., Inc. and Maple Lake, Inc.'s Motion for Summary Judgment (ECF No. 129) is hereby GRANTED IN PART as to the Municipal Project and DENIED IN PART as to the State Project; and it is further

ORDERED that Defendant Township of Brick's Motion for Summary Judgment (ECF No. 132) is hereby GRANTED; and it is further

ORDERED that the Third Party Complaint is dismissed with prejudice.

s/Peter G. Sheridan

PETER G. SHERIDAN, U.S.D.J.